

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ARK SYNDICATE MANAGEMENT, LTD.,

Plaintiff,

v.

NEXSTAR HOLDING CORP., et al.,

Defendants.

JJP CONTRACT PACKING d/b/a PLESH  
CONTRACT PACKAGING;

Third-Party Plaintiff,

v.

FOSDICK FULLFILLMENT CORP., et al.,

Third-Party Defendants.

Civil Action No.: 15-1295 (CCC)(JBC)

**ORDER**

**CECCHI, District Judge**

This matter was raised by the Court *sua sponte* after expressing concern regarding whether this action was properly removed from state to federal court. On April 27, 2015, Magistrate Judge Clark issued an Order to Show Cause instructing the parties to submit a joint letter on this issue by May 11, 2015. (ECF No. 29). As of the date of this Order, all parties have failed to do so. On May 21, 2015, Judge Clark issued a Report and Recommendation recommending that this action be remanded to state court on the basis of improper removal by a Third-Party defendant and lack of subject matter jurisdiction. Objections to this Report and Recommendation were due on June 4, 2015, and as of the date of this Order no objections have

been filed. The Court has considered Judge Clark's Report and Recommendation, and for substantially the same reasons stated therein;

**IT IS** on this 30th day of June, 2015

**ORDERED** that this Court adopts Judge Clark's May 21, 2015 Report and Recommendation; and it is further

**ORDERED** that this case is hereby **REMANDED** to Superior Court of New Jersey; and it is further

**ORDERED** that the pending Motions to Dismiss (ECF Nos. 9, 22, 33) are hereby administratively terminated as moot; and it is further

**ORDERED** that the Clerk shall close the file in this matter.

**SO ORDERED.**

  
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CLAIRE C. CECCHI, U.S.D.J.